

# BARNES & THORNBURG LLP

11 South Meridian Street  
Indianapolis, Indiana 46204

## ***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

*Customer No.:* 23643 }  
 }  
*Group:* 1625 (Filing Receipt) }  
 }  
*Confirmation No.:* 1581 }  
 }  
*Application No.:* 10/553,532 }  
 }  
*Invention:* CYTOTOXIC INDENO AND }  
 ISOINDOLOISOQUINOLONES }  
 }  
*First-Named }  
Applicant:* Mark S. CUSHMAN }  
 }  
 }  
*Filed:* October 14, 2005 }  
 }  
*Attorney Docket:* 3220-78751 }  
 }  
*Examiner:* Unknown }

Filed Electronically  
on August 30, 2006

International Serial No.: PCT/US2004/014581  
International Filing Date: 11 May 2004

## **REQUEST FOR CORRECTED FILING RECEIPT**

BOX Office of Initial Patent Examination's Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Filing Receipt mailed July 26, 2006, a marked-up copy of the official Filing Receipt for the above-identified application is attached with the requested changes.

The original receipt indicates that the "Assignment for Published Patent Application" is "CUSHMAN, Mark S., POMMIER, Yves G.."

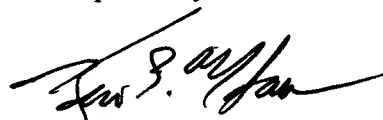
Applicants attach hereto copies of the following four papers filed on October 14, 2006: (1) Power of Attorney from PURDUE RESEARCH FOUNDATION; (2) Power of Attorney from THE GOVERNMENT OF THE UNITED STATES OF AMERICA AS

REPRESENTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES;  
(3) STATEMENT UNDER 37 CFR 3.73(b) stating the name of Assignee PURDUE RESEARCH FOUNDATION as recorded in the United States Patent Office at Reel 015560, Frame 0493; and (4) STATEMENT UNDER 37 CFR 3.73(b) stating the name of Assignee THE GOVERNMENT OF THE UNITED STATES OF AMERICA AS REPRESENTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES as recorded in the United States Patent Office at Reel 016336, Frame 0136.

Accordingly, applicants respectfully request that a corrected filing receipt be issued with the correct name of the assignees as follows: PURDUE RESEARCH FOUNDATION; THE GOVERNMENT OF THE UNITED STATES OF AMERICA AS REPRESENTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. Applicants also request that all records be corrected to indicate the above corrections and that the application be published with the correct names of assignees.

Applicants believe no fee is due for this Request. If it is determined that a fee is properly required, the Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 10-0435, referencing attorney docket no. 3220-78751.

Respectfully submitted,

  
Kevin L. McLAREN,  
Attorney Reg. No. 48351

KLM/mje/832116v1  
Indianapolis, IN  
(317) 231-7776

Attachments: Copy of Marked-Up Filing Receipt  
Copy of Power of Attorney from PURDUE RESEARCH FOUNDATION  
Copy of Power of Attorney from THE GOVERNMENT OF THE UNITED STATES OF AMERICA AS REPRESENTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Copy of Statement Under 37 CFR 3.73(b) Naming PURDUE RESEARCH FOUNDATION as Assignee  
Copy of Statement Under 37 CFR 3.73(b) Naming THE GOVERNMENT OF THE UNITED STATES OF AMERICA AS REPRESENTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES as Assignee



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/553,532	10/14/2005	1625	950	3220-78751	4	27	2

23643  
BARNES & THORNBURG  
11 SOUTH MERIDIAN  
INDIANAPOLIS, IN 46204

RECEIVED

AUG 03 2006

CONFIRMATION NO. 1581

FILING RECEIPT



\*OC000000019757504\*

BARNES & THORNBURG

Date Mailed: 07/26/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Mark S. Cushman, West Lafayette, IN; ✓  
Yves G. Pommier, Bethesda, MD; ✓

Assignment For Published Patent Application

CUSHMAN, MARK S., POMMIER, Yves G.

PURDUE RESEARCH FOUNDATION;  
THE GOVERNMENT OF THE UNITED STATES  
OF AMERICA AS REPRESENTED BY THE  
SECRETARY OF THE DEPARTMENT OF HEALTH  
AND HUMAN SERVICES

Power of Attorney: The patent practitioners associated with Customer Number 23643.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/14581 05/11/2004 ✓  
which claims benefit of 60/469,718 05/12/2003 ✓

Foreign Applications

If Required, Foreign Filing License Granted: 07/25/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/553,532**

Projected Publication Date: 11/02/2006

Non-Publication Request: No

Early Publication Request: No

**Title**

Cytotoxic indeno and isoindoloisoquinolones

**Preliminary Class**

514

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## POWER OF ATTORNEY

Docket No.

3220-

Name of Applicant: **PURDUE RESEARCH FOUNDATION**Address of Applicant: **3000 Kent Avenue  
West Lafayette, IN 47906  
US**Title: **CYTOTOXIC INDENO AND ISOINDOLOISOQUINOLONES**

Serial No., if Any:

Filed:

TO THE COMMISSIONER FOR PATENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Honorable Sir:

I hereby appoint:

**Bradford G. ADDISON, Attorney Reg. No. 41486  
Rebecca L. BALL, Attorney Reg. No. 46535  
Richard B. LAZARUS, Attorney Reg. No. 48215  
Kevin L. McLAREN, Attorney Reg. No. 48351  
Richard D. CONARD, Attorney Reg. No. 27321  
Jeffrey A. MICHAEL, Attorney Reg. No. 37394  
Jim HAIGHT, Attorney Reg. No. 25558  
Susan RUCKER, Attorney Reg. No. 35762  
Richard RODRIGUEZ, Attorney Reg. No. 45980  
Steve FERGUSON, Attorney Reg. No. 38488**

as principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

**Bradford G. ADDISON, Esquire  
BARNES & THORNBURG LLP  
11 South Meridian Street  
Indianapolis, IN 46204  
US**

By:

**BRUCE L. PERSHING,  
INVESTMENT OFFICER & SECRETARY**Dated: June 17, 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## POWER OF ATTORNEY

Docket No.

3220-

Name of Applicant: **THE GOVERNMENT OF THE UNITED STATES OF AMERICA**  
Address of Applicant: **AS REPRESENTED BY THE SECRETARY OF THE DEPARTMENT OF  
HEALTH AND HUMAN SERVICES  
C/O NATIONAL INSTITUTES OF HEALTH  
6011 Executive Boulevard, Suite 325  
Bethesda, MD 20852  
CYTOTOXIC INDENO AND ISOINDOLOISOQUINOLONES**

Title:

Serial No., if Any:

Filed:

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TO THE COMMISSIONER FOR PATENTS

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Honorable Sir:

I hereby appoint:

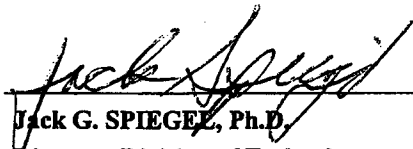
Bradford G. ADDISON, Attorney Reg. No. 41486  
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Please direct all future correspondence to:

Bradford G. ADDISON, Esquire  
BARNES & THORNBURG LLP  
11 South Meridian Street  
Indianapolis, IN 46204  
US

By:

  
Jack G. SPIEGEL, Ph.D.  
Director, Division of Technology  
Development and Transfer  
National Institutes of Health

Dated: 20 JULY, 2005

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: CUSHMAN, Mark S.; POMMIER, Yves G.

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: CYTOTOXIC INDENO AND ISOINDOLOISOQUINOLONES

PURDUE RESEARCH FOUNDATION

(Name of Assignee)

a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is 50 %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015560, Frame 0493, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

14 October 2005 (14.10.05)

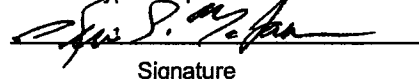
Date

(317) 231-7776

Telephone number

Kevin L. McLAREN

Typed or printed name



Signature

Attorney

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: CUSHMAN, Mark S.; POMMIER, Yves G.

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: CYTOTOXIC INDENO AND ISOINDOLOISOQUINOLONES**The Government of the United States of America as represented by**  
**The Department of Health and Human Services**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or2. ☒ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is 50 %  
in the patent application/patent identified above by virtue of either:A. [☒] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 016336, Frame 0136, or for which a copy thereof is attached.

OR

B. [☐] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.[☐] Additional documents in the chain of title are listed on a supplemental sheet.[☐] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

14 October 2005 (14.10.05)

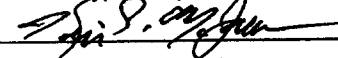
Date

(317) 231-7776

Telephone number

Kevin L. McLAREN

Typed or printed name



Signature

Attorney

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.